IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1093 OF 2004

The State of Maharashtra ..Appellant

V/s.

Krushna Dnyanu Torasker & Ors. ..Respondents

Mrs.M.H.Mhatre APP for the Appellant.

Coram : R.S.Mohite,J

Date :10th January, 2006.

PC

1. This is an appeal filed by the State challenging the judgment passed by the 4th Adhoc Asstt. Sessions Judge, Kolhapur on 3.6.2004 acquitting the accused for offences punishable under sections 120-B, 468, 469, 471 of the IPC r/w 3(1) (ix) of the Atrocities Act. On perusal of the impugned Judgment and order it can be seen that the same is passed upon cogent and acceptable reasons. The allegation was that the accused had forged documents to show that election had been held in the co-operative milk society. That though the complainant Shripati (PW 2) had not filed any nomination, his nomination was found on the election record. The trial Court has observed that PW-2 Shripati had admitted that there were 2 groups in the village. That the witnesses

examined by the prosecution were from the group opposed to the accused persons. As far as the nomination papers were concerned, PW-2 Shripati had admitted that the signature of the proposer and the seconder were of his friends. No admitted signature of the complainant was produced for comparison and the hand-writing expert had admitted that a specimen signature can be given in a different manner. In my view, not a fit case to interfere. Hence leave is refused and consequently, appeal stands dismissed.

(R.S.Mohite,J)